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**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of: **Shuji SAITO, et al.**

**ATTN: BOX MISSING PARTS**

Serial No.: **10/059,152**

Group Art Unit: **1632**

Filed: **January 31, 2002**

P.T.O. Confirmation No.: 5985

For: **RECOMBINANT HERPESVIRUS OF TURKEYS AND USE THEREOF**

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

**Commissioner for Patents  
Washington, D.C. 20231**

May 13, 2002

Dear Sir:

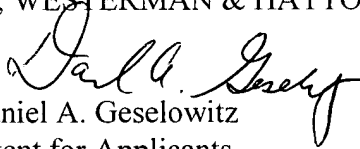
In response to the Notice to File Missing Parts of Application dated **March 21, 2002**, enclosed for filing is an executed Declaration and Power of Attorney for the above-identified patent application.

Also enclosed is our check in the amount of **\$1,150.00**, for the government filing fee of **\$740.00**, **\$280.00** for multiple dependent claims, and the surcharge fee of **\$130.00** for filing the late declaration. In the event that any additional fees are due with this paper, please charge Deposit Account No. 01-2340.

In the event that this response is not timely filed, applicants hereby petition for an appropriate extension of time. The fees for any such extension may be charged to our Deposit Account No. 01-2340. This paper is filed in triplicate.

Respectfully Submitted,

**ARMSTRONG, WESTERMAN & HATTORI, LLP**

  
Daniel A. Geselowitz  
Agent for Applicants  
Reg. No. 42,573

DAG/jaz  
Docket No. **020058**  
Suite 1000, 1725 K Street, N.W.  
Washington, D.C. 20006  
(202) 659-2930



**23850**

**PATENT TRADEMARK OFFICE**

Enclosures: Notice; Declaration

DAG #4



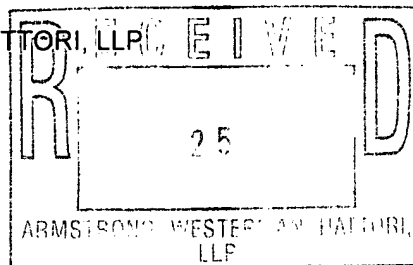
## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

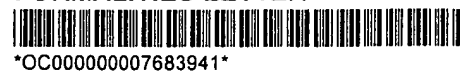
APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/059,152	01/31/2002	Syuji Saito	020058

CONFIRMATION NO. 5985

23850  
ARMSTRONG, WESTERMAN & HATTORI, LLP  
1725 K STREET, NW.  
SUITE 1000  
WASHINGTON, DC 20006



## FORMALITIES LETTER



\*OC000000007683941\*

Date Mailed: 03/21/2002

Due May 21, 2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$280.
  - \$280 for multiple dependent claim surcharge.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1150.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

05/15/2002 RMEBRAHT 00000105 10059152 PART 2 - COPY TO BE RETURNED WITH RESPONSE

01 FC:101 740.00 OP  
02 FC:105 130.00 OP  
03 FC:104 280.00 OP

3-25-02